

DOCKET NO.: UPN-4377/P3152



PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

David C. Myles et al.

Confirmation No.: 4870

Application No.: 10/817,532

Group Art Unit: 1625

Filing Date: April 2, 2004

Examiner: N. Rahmani

For: SYNTHETIC TECHNIQUES AND INTERMEDIATES FOR POLYHYDROXY
DIENYL LACTONES AND MIMICS THEREOF

DATE OF DEPOSIT: August 31, 2007

09/05/2007 FHETEK11 00000013 233050 10817532

01 FC:2401 250.00 DA

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A handwritten signature in black ink, appearing to read "Walter C. Frank".

TYPED NAME: Walter C. Frank
REGISTRATION NO.: 42,911

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS PURSUANT TO 37 CFR § 1.192**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **March 12, 2007** finally rejecting claims 1-23 of the above-identified patent application.

The item(s) checked below are appropriate:

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
☒ Attached is a Pre-Appeal Brief Request for Review.

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- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as :
- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of March 12, 2007 to and through Monday, September 13, 2007 comprising an extension of the shortened statutory period of three (3) months.

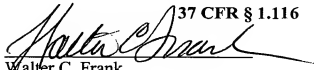
	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$250	\$250.00	\$500	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$60	\$0	\$120	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$225	\$0	\$450	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$510	\$510.00	\$1020	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$795	\$0	\$1590	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1080	\$0	\$2160	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$0)	minus	(\$)
TOTAL FEE DUE		\$760.00		\$0

- ☐ A check in the amount of \$.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ Please charge my Deposit Account No. 23-3050 in the amount of **\$760.00**. This sheet is attached in duplicate. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

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Date: August 31, 2007



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